GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Home Department – Setting up of Small / Cargo/ Container Theatres in the State – Certain guidelines – Issued.

HOME (GENERAL.A) DEPARTMENT

G.O.MS.No. 4 Dated: 18-01-2018
Read the following:-

1. From the Collector & District Magistrate, Visakhapatnam, Rc. No. 1454/2016/C1, dated: 30.09.2016.
2. Govt. Memo. No. 2514(P)/Genl.A/A1/2016, Dated: 16.11.2016.
3. From the Managing Director, Andhra Pradesh State Film Television and Theatre Development Corporation Limited, Lr.No. APSFTVDCL/NOC/2017, dated: 21.02.2017.
4. From the President, Telugu Film Chamber of Commerce, Andhra Pradesh, Ref.No. TFCC/2015-17, dated: 01.03.2017.

O R D E R:

In the reference 1st read above, the District Collector, Visakhapatnam has sent a report regarding permission given in respect of a container theatre by name "Balaji Village Cinema" in accordance with AP Cinema Regulation Rules, 1970 which was established in the premises of a "Drive – in – Theatre" in Visakhapatnam. He has requested the Government to issue suitable guidelines for establishing such small / cargo / container theatres in the State.

2. Government after careful examination of the report of District Collector, Visakhapatnam, hereby issue the following guidelines for establishing small/ cargo/ container theatres in the State:-

i. The Container / Cargo / Small Theatres shall be treated as Temporary theatres in accordance with the provisions under Rule 2(1)(c) (iii) of AP Cinema (Regulation) Rules, 1970.

ii. The requirements for construction on such theatres shall be followed under Rule 6 of AP Cinema (Regulation) Rules, 1970 and specifications mentioned therein under Para -2 of Appendix –IV of said rules.

iii. The restrictions on location of such theatres on the aspects of population density and distances between two theatres shall be followed as per Rule 7 (1) (a) 2(c) and (5) of AP Cinema (Regulation) Rules, 1970.

iv. The B-Form licences to such theatres shall be examined after obtaining reports from Inspecting Officers in accordance with the provisions of Rule 8 (b) and 9 (b), of AP Cinema (Regulation) Rules, 1970, read with the guidelines issued vide G.O.Ms.No. 46, Home (Genl. A) Dept., dated: 10.03.2006.

v. The B-Form licence shall be issued in accordance with the provisions of Rule 11 (b) read with Rule 13(9) of said rules initially for a period of 2 (two) years and can be further extended upto another two years and like manner as often as may be subject to the satisfaction of Licensing Authority in conforming to the Rules and Regulations applicable to such theatres.

(PTO)

vi. The minimum site area and parking area for establishing Cargo/ Container / Small Theatres shall be followed in proportion to the Single Theatres / Multiplexes fixed as per the orders issued in G.O.Ms.No. 46, Home (Genl.A) Department, dated: 10.03.2006. The area shall also correspond to the seating capacity of the theatre so established.

3. All the District Collectors and Licensing Authorities shall follow the above guidelines in granting of B-Form licences to small / cargo / container theatres and also follow the Cinema Regulation Rules whereever applicable and other guidelines being issued by Government from time to time. The relevant rules are annexed to this order.

(BY ORDER AND IN THE NAME OF GOVERNOR OF ANDHRA PRADESH)

A.R. ANURADHA
PRINCIPAL SECRETARY TO GOVERNMENT

To
All the District Collectors in the State.
All Joint Collectors in the State.
Copy to:-
The Managing Director,
AP State Film Television and
Theatre Development Corporation Limited,
RTC Complex, Vijayawada.
The President,
Telugu Film Chamber of Commerce,
Post Box No. 527,
Gandhi Nagar,
Vijayawada – 520003.

// FORWARDED : : BY ORDER //

SECTION OFFICER

ANNEXURE

Rule 2 (1) (c) (iii):

Building means in relation to a temporary cinema, a building which is not a permanent building and which is constructed of non- inflammable materials, having galvanised zinc or asbestos sheets and the like for roofing, or which is constructed of inflammable materials, having zinc or asbestos sheets, tent or tarpaulin and the like for roofing.

Rule 6 and para 2 of Appendix – IV

Rule 6: (i) site, specifications for construction of cinema building and other general matters; (ii) Cinematograph apparatus and enclosure; (iii) electrical fittings and fire extinguishing appliances and equipment; and (iv) conditions regulating storage of not more than 91 kilograms of cinematograph film in any premises licensed under the Act, shall be as specified in Appendices I, II, III and V, respectively.

Para -2 of Appendix – IV:

The requirements for temporary cinema buildings constructed of non – inflammable materials shall be as specified below:-

1. The building shall be provided on all its sides with an open space which in no part thereof shall be less than 18 metres in which;
   Provided that the licensing authority may, on the recommendation of the Tahsildar, Revenue Divisional Officer, allow a space of not less than 9 metres in width;
2. The eaves of the building shall have a height of not less than 2.5 metres.
3. Every doorway in the building shall be not less than 2.1 metres clear in height and 1.2 metres clear in width;
4. Suitable means of ventilation for the building shall be provided and maintained to the satisfaction of the licensing authority.
5. Except when the building is used in the day time and no artificial lighting is necessary, suitable lighting shall be provided in the building.
6. Such sanitary convenience of such design as may be specified by the licensing authority in consultation with, or on the recommendation of , the Health Officer shall be provided for the exclusive use of each sex according to the scale laid down in Paragraph 15 of Appendix I and the same shall be maintained in good order and sanitary condition.
7. Sufficient wholesome drinking water for the use of persons employed in or frequenting such building shall be stored for supply at such places and in such manner as may be specified by the licensing authority in consultation with the local authority and the Health Officer;

Provided that Clauses (1), (2) and (3) shall not apply to the existing cinema building.

Rule 7 (1) (a) (2) (c) & (5) :

(1) (a) there shall be no restriction on the basis of population to the grant of licences (i) to permanent cinemas; and (ii) to temporary cinemas if there is no permanent cinema;

(2) (c) 800 metres, in between permanent or semi – permanent theatre and a temporary theatre.

(5) licences shall not be granted for construction of permanent or semi – permanent or temporary cinema buildings within a distance of 800 metres in places where temporary cinema theatres exist on the date of applications by the applicants.

Rule 8(b) and 9(b):

8(b): Grant of No Objection Certificate: Within fifteen days of receipt of any application for grant of "No Objection Certificate", the licensing authority shall –

(a) if the application is not in accordance with the rules, return the same to the applicant for re-submission within a period of sixty days failing which the application shall be treated as rejected and fresh application shall be made;

(b) if the application is in order forward a copy of the application together with its enclosures to the Chief Executive Officer of the Local Authority, the director of Town Planning in the case of areas covered by Town Planning Scheme, the Health Officer and the Police Authorities asking for their report within fifteen days from the date of receipt of the copy of the application and obtain their acknowledgement.

(c) On receipt of the reports referred to in Clause (b) of Sub-Rule (I) if the licensing authority is satisfied that the other requirements of these rules are fulfilled and that the applicant is in lawful possession of the site he shall within fifteen days from the date of receipt of the said reports grant "No Objection Certificate" applied for, either absolutely or subject to such conditions as it thinks fit to impose.

9(b): Grant of permission to construct cinema buildings:

Within 15 days of receipt of any application for grant of permission the licensing authority shall:-

(a) If the application is not in accordance with the rules, return the same to the applicant for re-submission within a period of sixty days failing which the application shall be treated as rejected and fresh application shall be made;

(b) If the application is in order forward a copy each of the application together with its enclosures to the Electrical Inspector, the concerned Executive Engineer, Roads and Buildings, the Health Officer of the local authority asking for their report within thirty days from the date of receipt of the copy of the application and obtain their acknowledgement.

(c) On receipt of the report referred to in clause (b) of sub-rule (2) if the licensing authority is satisfied that the other requirements of these rules are fulfilled he shall within fifteen days from the date of receipt of the said reports grant the permission applied for, either absolutely or subject to such conditions as it things to impose.

Rule 11(b) read with Rule 13(9):

Rule 11(b): Grant of Licence to Cinema Buildings:

(1) Within fifteen days of receipt of such application, the licensing authority shall:

(a) If the application is not in accordance with the rules dispose it of in accordance with Clause (a) of Sub-Rule 9(b)

(b) If the application is in order, forward a copy of the application together with its enclosures to the Electrical Inspector and the Executive Engineer (R&B) (in the case of permanent cinema building only) asking for their reports and certificates within thirty days from the date of receipt of the copy of the application and obtain their acknowledgements;

(2) On receipt of the reports and certificates referred to in Clause (b) for sub-rule (1) or, if the same have not been received in time on consideration of the certificates referred to in Clause (c) of Rule 11-A on merits, if the licensing authority is satisfied that the applicant is in lawful possession of the site, building and equipment he shall, within ten days from the date of receipt of the above reports and certificates or the due date for the receipt of above reports and certificates, grant a licence in Form B with or without adding additional conditions thereto, consistent with the provisions of these rules, as he may deem fit in the interest of the health and safety of the public;

Provided that if the licensing authority is satisfied that the provisions of these rules have not been fulfilled and or that, in the case of a temporary cinema building the provisions in Appendix IV are not fulfilled he may refuse to grant the licence applied for and communicate to the applicant the reasons for such refusal.

13(9): No temporary cinema building, constructed of non-inflammable materials shall be licensed to exhibit shows, in any place for a period exceeding two years;

Provided that the said period of two years may, on application by the previous licensee, be further extended 2(x x x x) upto another two years and in like manner, as often as may be, if the licensing authority is satisfied that the site and the building continue to conform to the relevant rules.

A.R. ANURADHA
PRINCIPAL SECRETARY TO GOVERNMENT